

Re: Wyatt v. Kotek - Child in Care briefing

Emily Cooper <ecooper@droregon.org>

Wed 5/29/2024 6:36 PM

To: Vivek Kothari <vivekkothari@markowitzherbold.com>; Harry Wilson <harrywilson@markowitzherbold.com>; Kelsie Crippen <kelsiecrippen@markowitzherbold.com>; billminer@dwt.com <billminer@dwt.com>; andymcstay@dwt.com <andymcstay@dwt.com>; mlowry@abetterchildhood.org <mlowry@abetterchildhood.org>; abenedetto@abetterchildhood.org <abenedetto@abetterchildhood.org>; lgus@abetterchildhood.org <lgus@abetterchildhood.org>; Tom Stenson <tstenson@droregon.org>; Steven Rizzo <SRizzo@rizzopc.com>; Mary Skjelset <mskjelset@rizzopc.com>
Cc: Lauren Blaesing <laurenblaesing@markowitzherbold.com>; Anit Jindal <anitjindal@markowitzherbold.com>
1pm works. I'll send around a virtual meeting invite next.

Emily Cooper

Legal Director

Pronouns: she/her/hers

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Website: droregon.org



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From: Vivek Kothari <vivekkothari@markowitzherbold.com>

Sent: Wednesday, May 29, 2024 4:13 PM

To: Emily Cooper <ecooper@droregon.org>; Harry Wilson <harrywilson@markowitzherbold.com>; Kelsie Crippen <kelsiecrippen@markowitzherbold.com>; billminer@dwt.com <billminer@dwt.com>; andymcstay@dwt.com <andymcstay@dwt.com>; mlowry@abetterchildhood.org <mlowry@abetterchildhood.org>; abenedetto@abetterchildhood.org <abenedetto@abetterchildhood.org>; lgus@abetterchildhood.org <lgus@abetterchildhood.org>; Tom Stenson <tstenson@droregon.org>; Steven Rizzo <SRizzo@rizzopc.com>; Mary Skjelset <mskjelset@rizzopc.com>

Cc: Lauren Blaesing <laurenblaesing@markowitzherbold.com>; Anit Jindal <anitjindal@markowitzherbold.com>

Subject: RE: Wyatt v. Kotek - Child in Care briefing

Emily,

I have another meeting at 2 pm tomorrow. Are you available at 1 pm to discuss the neutral selection?

-Vivek

From: Emily Cooper <ecooper@droregon.org>

Sent: Wednesday, May 29, 2024 10:58 AM

To: Harry Wilson <harrywilson@markowitzherbold.com>; Kelsie Crippen <kelsiecrippen@markowitzherbold.com>; billminer@dwt.com; andymcstay@dwt.com;

mlowry@abetterchildhood.org; abenedetto@abetterchildhood.org; lgus@abetterchildhood.org; Tom Stenson <tstenson@droregon.org>; Steven Rizzo <SRizzo@rizzopc.com>; Mary Skjelset <mskjelset@rizzopc.com>
Cc: Lauren Blaesing <laurenblaesing@markowitzherbold.com>; Anit Jindal <anitjindal@markowitzherbold.com>; Vivek Kothari <vivekkothari@markowitzherbold.com>
Subject: Re: Wyatt v. Kotek - Child in Care briefing

Dear Harry,

We can begin to have this conversation today at 2pm. Only Tom and I are available, but we can certainly start the conversation.

Shall we stay with 2pm for our conferral tomorrow?

Sincerely,

Emily

Emily Cooper

Legal Director

Pronouns: she/her/hers

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From: Harry Wilson <harrywilson@markowitzherbold.com>

Sent: Wednesday, May 29, 2024 10:41 AM

To: Emily Cooper <ecooper@droregon.org>; Kelsie Crippen <kelsiecrippen@markowitzherbold.com>; billminer@dwt.com <billminer@dwt.com>; andymcstay@dwt.com <andymcstay@dwt.com>;

mlowry@abetterchildhood.org <mlowry@abetterchildhood.org>; abenedetto@abetterchildhood.org <abenedetto@abetterchildhood.org>; lgus@abetterchildhood.org <lgus@abetterchildhood.org>; Tom Stenson <tstenson@droregon.org>; Steven Rizzo <SRizzo@rizzopc.com>; Mary Skjelset <mskjelset@rizzopc.com>

Cc: Lauren Blaesing <laurenblaesing@markowitzherbold.com>; Anit Jindal <anitjindal@markowitzherbold.com>; Vivek Kothari <vivekkothari@markowitzherbold.com>

Subject: RE: Wyatt v. Kotek - Child in Care briefing

Counsel,

We are fine with rescheduling the conferral on selection of the neutrals until tomorrow, however, we would like to keep the conferral today on the calendar so that we can discuss the "Child in Care" briefing. The briefing is due May 31, and, as noted, we think it is important to coordinate on how to raise the issue procedurally so that each party has an opportunity to appeal an adverse ruling.

Harry

From: Emily Cooper <ecooper@droregon.org>

Sent: Wednesday, May 29, 2024 9:35 AM

To: Kelsie Crippen <kelsiecrippen@markowitzherbold.com>; billminer@dwt.com; andymcstay@dwt.com; mlowry@abetterchildhood.org; abenedetto@abetterchildhood.org; lgus@abetterchildhood.org; Tom Stenson <tstenson@droregon.org>; Steven Rizzo <SRizzo@rizzopc.com>; Mary Skjelset <mskjelset@rizzopc.com>

Cc: Lauren Blaesing <laurenblaesing@markowitzherbold.com>; Harry Wilson

<harrywilson@markowitzherbold.com>; Anit Jindal <anitjindal@markowitzherbold.com>; Vivek Kothari <vivekkothari@markowitzherbold.com>

Subject: Re: Wyatt v. Kotek - Child in Care briefing

Dear Counsel,

I write to ask that we reschedule today's conferral to tomorrow afternoon instead. We are following up with some of your suggested neutrals who have availability to meet with us tomorrow morning. We would like to take the extra day to meet with them before conferring and, ideally, agreeing on who is the best person to serve as our neutral.

In the meantime, we wanted to share our top two candidates with you. First, we would like to put forward Alicia Groh (aliciagroh@gmail.com). Second, our next pick is Kevin Ryan (kevinmichaelryan1967@gmail.com). As you know, he comes with a heftier price tag. However, he has come down to \$500k and is still interested in working with Director Pakseresht given their mutual colleague in Oklahoma.

Please let us know what time works best for your crew tomorrow afternoon and we apologize that we were unable to schedule the interviews of your candidates sooner.

Sincerely,

Emily

Emily Cooper

Legal Director

Pronouns: she/her/hers

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Website: droregon.org



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From: Emily Cooper <ecooper@droregon.org>

Sent: Tuesday, May 28, 2024 4:29 PM

To: Kelsie Crippen <kelsiecrippen@markowitzherbold.com>; billminer@dwt.com <billminer@dwt.com>;

andymcstay@dwt.com <andymcstay@dwt.com>; mlowry@abetterchildhood.org <mlowry@abetterchildhood.org>; abenedetto@abetterchildhood.org <abenedetto@abetterchildhood.org>; lgus@abetterchildhood.org <lgus@abetterchildhood.org>; Tom Stenson <tstenson@droregon.org>; Steven Rizzo <SRizzo@rizzopc.com>; Mary Skjelset <mskjelset@rizzopc.com>

Cc: Lauren Blaesing <laurenblaesing@markowitzherbold.com>; Harry Wilson <harrywilson@markowitzherbold.com>; Anit Jindal <anitjindal@markowitzherbold.com>; Vivek Kothari <vivekkothari@markowitzherbold.com>

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That sounds good. I also think it would be good to touch base on our notice requirements/plan. How's this for an agenda:

1. Neutral
2. Child in Care Briefing
3. Notice to the Class
4. Fees Conferral

Emily Cooper

Legal Director

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From: Kelsie Crippen <kelsiecrippen@markowitzherbold.com>

Sent: Tuesday, May 28, 2024 1:00 PM

To: billminer@dwt.com <billminer@dwt.com>; andymcstay@dwt.com <andymcstay@dwt.com>; mlowry@abetterchildhood.org <mlowry@abetterchildhood.org>; abenedetto@abetterchildhood.org <abenedetto@abetterchildhood.org>; lgus@abetterchildhood.org <lgus@abetterchildhood.org>; Emily Cooper <ecooper@droregon.org>; Tom Stenson <tstenson@droregon.org>; Steven Rizzo <SRizzo@rizzopc.com>; Mary Skjelset <mskjelset@rizzopc.com>

Cc: Lauren Blaesing <laurenblaesing@markowitzherbold.com>; Harry Wilson <harrywilson@markowitzherbold.com>; Anit Jindal <anitjindal@markowitzherbold.com>; Vivek Kothari <vivekkothari@markowitzherbold.com>

Subject: RE: Wyatt v. Kotek - Child in Care briefing

All,

I'm following up to schedule a conferral on the "Child in Care" briefing. Because we already have a conferral scheduled tomorrow regarding the selection of a Neutral, defendants propose adding this item to the agenda following discussion of Neutral selection.

Kelsie

Kelsie G. Crippen | Lawyer

Markowitz Herbold PC

1455 SW Broadway, Suite 1900 | Portland, OR 97201

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From: Kelsie Crippen

Sent: Wednesday, May 22, 2024 3:01 PM

To: 'billminer@dwt.com' <billminer@dwt.com>; 'andymcstay@dwt.com' <andymcstay@dwt.com>; 'mlowry@abetterchildhood.org' <mlowry@abetterchildhood.org>; 'abenedetto@abetterchildhood.org' <abenedetto@abetterchildhood.org>; 'lgus@abetterchildhood.org' <lgus@abetterchildhood.org>; 'ecooper@droregon.org' <ecooper@droregon.org>; 'tstenson@droregon.org' <tstenson@droregon.org>; Steven Rizzo <SRizzo@rizzopc.com>; Mary Skjelset <mskjelset@rizzopc.com>

Cc: Lauren Blaesing <laurenblaesing@markowitzherbold.com>; Harry Wilson <harrywilson@markowitzherbold.com>; Anit Jindal <anitjindal@markowitzherbold.com>

Subject: Wyatt v. Kotek - Child in Care briefing

Counsel,

We would like to schedule a time to confer on the issues plaintiffs plan to raise in their briefing on the legal scope of "Child in Care." Specifically, defendants would like to know how procedurally plaintiffs plan to present the issue for decision to the court. Defendants would also like to know what arguments plaintiffs plan to make in support of their motion. We are hopeful that conferring on these issues will help the Court issue a decision that is appealable for both parties consistent with the settlement agreement.

The parties' briefing is due on May 31. Defendants are available to confer Thursday (5/23) from 12:00-1:00 or from 2:30-5:00 or Friday (5/24) from 10:00-11:30 or from 1:30-4:30. Please let us know if you are available during those times.

Thank you,

Kelsie

Kelsie G. Crippen | Lawyer

Markowitz Herbold PC

1455 SW Broadway, Suite 1900 | Portland, OR 97201

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